

**COMBINED DECLARATION OF INVENTORSHIP**  
**AND POWER OF ATTORNEY**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first and sole inventor of the claimed subject matter of the invention disclosed in U.S. Patent Application Serial No. 09/906,388 entitled "METHOD AND APPARATUS FOR WAVEFRONT MEASUREMENT THAT RESOLVES THE  $2-\pi$  AMBIGUITY MEASUREMENT AND ADAPTIVE OPTICS SYSTEMS UTILIZING SAME", filed July 16, 2001 and for which a U.S. Letters Patent is sought.

I hereby state that I have reviewed and understand the contents of the above identified Application, including the Claims to Invention thereof.

Under 35 USC Section 120, I hereby claim priority to the prior filing dates of the following co-pending United States Patent Applications: 60/218,190 filed July 14, 2000, and 09/766,211 filed January 19, 2001.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56, including material information which became available between July 14, 2000, the filing date of prior Application No. 60/218,190, and July 16, 2001, the filing date of the present application.

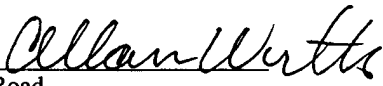
I hereby appoint Thomas J. Perkowski, Esq., Reg. No. 33,134 and Jay P. Sbrollini, Esq., Reg. No. 36, 266, of Soundview Plaza, 1266 East Main Street, Stamford, Connecticut 06902, to represent Applicants before the United States Patent and Trademark Office and to transact all business in connection with the above-referenced application, and any continuation, division and continuation-in-part applications thereof.

All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

Please send all future correspondence in the above-referenced application to the undersigned attorney at the following address:

Thomas J. Perkowski, Esq., P.C.  
Soundview Plaza  
1266 East Main Street  
Stamford, Connecticut 06902

Please direct all telephone calls to Thomas J. Perkowski, Esq., P.C. at (203)-357-1950.

First sole inventor, Allan Wirth   
Residence: 358 Concord Road  
Bedford, Massachusetts 01730  
Post Office Address: same as above  
Citizenship: USA  
Date: October 26, 2001

Attorney Docket No.: 108-133USANA0

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Continuation Application of:

Applicant : Allan Wirth  
Application Serial No.: 09/906,388  
Filing Date : July 16, 2001

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

**DECLARATION UNDER C.F.R. 1.53(b)**

Sir:

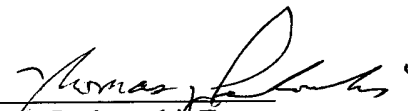
I, Thomas J. Perkowski, Esq., attorney of record in the above identified case, hereby declare and certify that the attached Xerox copy of the application is a true copy of original co-pending Application Serial No. 09/906,388 filed July 16, 2001.

The undersigned declares further that all statements made herein are his own knowledge, are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The present application continues prosecution of subject matter originally disclosed in co-pending Application Serial No. 09/906,388 filed July 16, 2001.

Respectfully submitted,

Dated: August 25, 2003

  
Thomas J. Perkowski, Esq.  
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CERTIFICATE OF EXPRESS MAIL  
UNDER 37 C.F.R. 1.10

I hereby certify that this correspondence is  
being deposited with the United States Postal Service  
on August 25, 2001  
as Express Mail (No. EL152480248US)  
in a postage prepaid envelope  
addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Phyllis Mason

Mailor: Phyllis Mason

Dated: August 25, 2003